

STATE OF WISCONSIN

Senate Journal

Eighty-Sixth Regular Session

THURSDAY, February 2, 1984

9:40 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The roll was called and the following senators answered to their names:

Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Absent -- None.

Absent with leave -- None.

The senate stood for the prayer which was offered by Pastor Thomas R. Lee of Trinity Lutheran Church, Madison.

The senate remained standing and Senator Lasee led the senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 587

Relating to the terms of officers of firemen's associations.

By Senators Czarnecki, Norquist, Van Sistine, McCallum and Chilsen; cosponsored by Representatives Krusick and Seery.

To committee on Labor, Business, Veterans Affairs and Insurance.

Senate Bill 588

Relating to an income tax credit for volunteer work.

By Senator Czarnecki; cosponsored by Representative Bell.

To committee on Tourism and Revenue.

Senate Bill 589

Relating to carry forwards of net operating losses, net business losses and income and franchise tax credits for sales and use taxes paid on fuel and electricity used in manufacturing.

By Senators Czarnecki, Otte, Ellis, Johnston, Hanaway, Davis and Lorman; cosponsored by

Representatives Ulichny, Andrea, Stitt, Prosser, Donoghue, Nelsen, Cowles, Walling, Young, Moyer, Buettner, Rosenzweig and Coleman.

To committee on Tourism and Revenue.

Senate Bill 590

Relating to notice of enactment of laws by counties, cities and villages.

By Senator Otte; cosponsored by Representative Potter, by request of Lawrence Felten, Sheboygan City Clerk.

To committee on Urban Affairs and Government Operations.

COMMITTEE REPORTS

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

Senate Bill 555

Relating to treatment of self-employment earnings for purposes of determining unemployment compensation benefit eligibility and benefit amounts and granting rule-making authority.

Introduction and adoption of senate amendment 1: Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

JEROME VAN SISTINE
Chair

REPORT OF JOINT SURVEY COMMITTEE ON DEBT MANAGEMENT

Appendix to Senate Bill 412

Public Policy Involved

The proposal is desirable as a matter of public policy.

FRED A. RISSER
Chair

Read and referred to committee on Higher Education and Economic Development.

REPORT OF JOINT SURVEY COMMITTEE ON
TAX EXEMPTIONS

Appendix to **Senate Bill 370**

Public Policy Involved

This bill is good public policy. It is suggested that the standing committees which later review this bill adopt an amendment that clearly limits the maximum annual retirement benefit exemption to \$6,000 per person regardless of how many retirement plans a person receives benefits from. In addition, it is suggested that the term "retirement system," as used in the bill, be more clearly defined. As currently drafted, it is not clear whether amounts received under retirement plans such as individual retirement accounts (IRA's) would be exempt under the bill. It is also suggested that the retirement benefit exemption provided by this bill be limited to persons whose household income does not exceed such specified dollar amounts as are determined to be appropriate by the standing committees.

MARVIN J. ROSHELL
Co-Chair

STEVEN C. BRIST
Co-Chair

Read and referred to committee on Labor, Business, Veterans Affairs and Insurance.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 83-205

AN ORDER to repeal and recreate ETF 20.25, relating to Wisconsin retirement system fixed and variable annuity changes.

Submitted by Department of Employee Trust Funds.
Report received from agency, February 1, 1984.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, February 2, 1984.

Clearinghouse Rule 83-210

AN ORDER to repeal Ins 2.16 (5) (b) 1 and 2 and (6) (b); and to renumber Ins 2.16 (6) (a), relating to unfair trade practices in life insurance advertisements.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, February 1, 1984.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, February 2, 1984.

Clearinghouse Rule 83-211

AN ORDER to repeal Ins 2.14 (3) (a) and (f) and (4) (a) and (c) and Appendix 1, 2 and 3; and to renumber Ins 2.14 (3) (b) to (e) and (g) and (4) (b), (d) and (e), relating to life insurance solicitations.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, February 1, 1984.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, February 2, 1984.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in:

Assembly Joint Resolution 81
Assembly Joint Resolution 82
Assembly Joint Resolution 85
Assembly Joint Resolution 86

Passed and asks concurrence in:

Assembly Bill 24
Assembly Bill 274
Assembly Bill 416
Assembly Bill 425
Assembly Bill 512
Assembly Bill 525
Assembly Bill 32
Assembly Bill 236
Assembly Bill 436

Assembly Bill 480
Assembly Bill 592
Assembly Bill 611
Assembly Bill 730

Concurred in:

Senate Joint Resolution 49
Senate Joint Resolution 50
Senate Joint Resolution 54
Senate Bill 372

Amended and concurred in as amended:

Senate Bill 120, assembly amendments 1, 2 and 3 adopted

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Joint Resolution 86

Relating to the life and public service of Representative Thorlief Peterson.

By Representatives Rude, T. Thompson, Schultz and All Members of the Assembly, co-sponsored by Senators Kreul and Lorge.

Read.

Considered as privileged and taken up.

Adopted by unanimous rising vote.

Assembly Joint Resolution 85

Relating to the life and public service of Harvey Gee.

By Representatives Schneider, T. Thompson, McEssy, Tregoning, Luckhardt and All Members of the Assembly.

Read.

Considered as privileged and taken up.

Adopted by unanimous rising vote.

Assembly Joint Resolution 81

Relating to support for legislation to establish an American conservation corps.

By Representatives Stower, Holperin, Hasenohrl, M. Coggs, Manske, Coleman, Chvala, Jauch, D. Travis, Bell, Goetsch, Vanderperren, Shoemaker, Volk, Metz, R. Thompson, Wineke, Smith, Roberts, Johnson, Matty, Sell, Horvath and Neubauer, co-sponsored by Senators Strohl, Maurer, Czarnezki, Van Sistine, Otte, Moen and Lee.

Read first time and referred to committee on Energy and Environmental Resources.

Assembly Joint Resolution 82

Relating to efforts by world governmental and religious leaders on behalf of the Baha'i International Community to halt the persecution of followers of the Baha'i faith in Iran.

By Representatives Johnson, Stower, Cowles, D. Travis, Prosser, Manske, Becker, Plewa, Metz, Neubauer, M. Coggs, Schneiders, Loftus, Shoemaker and Munts, co-sponsored by Senators Cullen, Lee, Norquist, Feingold, Strohl, Engeleiter, Risser, Lorge and Van Sistine.

Read and referred to committee on Senate Organization.

Assembly Bill 24

Relating to escrow accounts for the benefit of victims of crimes.

By Representatives Plous, Brist, D. Travis, Jaronitzky, Schober, Smith and Manske, co-sponsored by Senator Offner.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 274

Relating to product liability insurance reports.

By Representatives T. Thompson, Hauke and Chvala.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Assembly Bill 416

Relating to the issuance of provisional alcohol beverage operators' licenses.

By Representatives Rosenzweig and Young, co-sponsored by Senator Engeleiter, by request of city of Wauwatosa.

Read first time and referred to committee on Urban Affairs and Government Operations.

Assembly Bill 425

Relating to school bus drivers' licenses.

By Representatives Vanderperren, Hasenohrl, M. Coggs, Smith, Bolle, Roberts, Holschbach, Williams, Gilson, Stower and Van Gorden.

Read first time and referred to committee on Transportation.

Assembly Bill 512

Relating to educational requirements for barber apprentices and granting rule-making authority.

By Representatives Andrea, Vanderperren, Antaramian and Porter, co-sponsored by Senators Van Sistine and Maurer.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

Assembly Bill 525

Relating to county and city transit commission members.

By Representative Jaronitzky, by request of Edward Rajala.

Read first time and referred to committee on Transportation.

Assembly Bill 32

Relating to allowing the retirement systems of units of government to include funds in the public employee trust fund and granting rule-making authority.

By Representatives Holschbach and Andrea, by request of Retirement Research Committee.

Read first time and referred to committee on Urban Affairs and Government Operations.

Assembly Bill 236

Relating to revising the prison industries program, creating a prison industries board and making an appropriation.

By Legislative Council.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

Assembly Bill 436

Relating to the property taxation of mobile homes.

By Legislative Council.

Read first time and referred to committee on Tourism and Revenue.

Assembly Bill 480

Relating to transportation of pupils and other persons in school busses or other vehicles and transportation of elderly or handicapped persons in human service vehicles and providing penalties.

By Representatives Vanderperren, Smith and Roberts, co-sponsored by Senator Chilsen.

Read first time and referred to committee on Transportation.

Assembly Bill 592

Relating to jurisdiction in actions for damages caused by pollution.

By Representatives Prosser, Crawford, Neubauer, Porter and Nelsen, co-sponsored by Senators George, Davis, Engeleiter and Strohl, by request of Commission on Uniform State Laws.

Read first time and referred to committee on Energy and Environmental Resources.

Assembly Bill 611

Relating to drug inspection authority of the department of health and social services and imposing a penalty.

By Representatives Robinson and Medinger.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

Assembly Bill 730

Relating to the filming or taping of patients.

By Representative D. Travis.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

CALENDAR OF FEBRUARY 2

Senate Bill 414

Relating to the sale of coins and stamps on premises licensed for the sale of beer.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 414

Read a third time and passed.

Senate Bill 424

Relating to the definition of 'resident' in the state civil service laws.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 424

Read a third time and passed.

Senate Bill 457

Relating to the use of contingency funds by the board of regents of the university of Wisconsin system and the state fair park board (suggested as remedial legislation by the board of regents of the university of Wisconsin system).

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 457

Read a third time and passed.

Senate Bill 525

Relating to exempting certain real estate agents and salespersons from the coverage of the state minimum wage laws.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 525

Read a third time and passed.

Assembly Joint Resolution 33

Relating to removing obsolete provisions of the state constitution regarding elections and suffrage so as to revise the article on suffrage without impeding any voting rights granted under the constitution or laws of this state (first consideration).

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the resolution was considered for final action at this time.

Assembly Joint Resolution 33

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- None.

So the joint resolution was concurred in.

Assembly Bill 153

Relating to the expenditure of bingo funds for lawful purposes.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 153

Read a third time and concurred in as amended.

Assembly Bill 170

Relating to advertising and other restrictions on plumbers and creating a penalty.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 170

Read a third time and concurred in.

Assembly Bill 212

Relating to changing the standard weights for loaves of bread.

Read a second time.

Senate substitute amendment 1 offered by Senators Davis and Engeleiter.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 212

Read a third time and concurred in as amended.

Assembly Bill 268

Relating to vaccination against brucellosis.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 268

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in.

Assembly Bill 306

Relating to changes in county civil service laws.

Read a second time.

Senate amendment 1 to senate amendment 1 offered by Senator Lee.

The question was: Adoption of senate amendment 1 to senate amendment 1?

Adopted.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 306

Read a third time and concurred in as amended.

Assembly Bill 316

Relating to interest rates on instalment payments for water and sewer hookups.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 316

Read a third time and concurred in.

Assembly Bill 398

Relating to the licensing of cheese graders and butter graders, the grading and labeling of cheese and butter and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 398

Read a third time and concurred in as amended.

Assembly Bill 524

Relating to filing and recording fees on change of address of a corporation or cooperative.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 524

Read a third time and concurred in.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

AMENDMENTS OFFERED

Senate amendment 2 to **Senate Bill 512** by Senator Van Sistine.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Tuesday, February 7.

10:06 A.M.